

### **Remarks/Arguments**

This Amendment responds to the Final Office Action of July 28, 2006 regarding the above-identified U.S. Patent Application in a manner intended to create a Request for Continued Examination.

In that Action, the Examiner rejected all claims then pending in the application under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 2,203,113 to Uecker *et al.*

The Uecker *et al.* patent is one which is newly cited and applied in the history of this patent application, and applicant takes strong exception with the Examiner that this patent anticipates any claim heretofore presented in the application.

Notwithstanding this categoric disagreement with the Examiner's position regarding the relevance of the Uecker *et al.* patent, following a careful review of the Examiner's Action and comments, and of the cited and applied Uecker *et al.* reference, and looking again closely at the disclosure content of the present application, applicant proposes certain modest changes in independent claims 3 and 6, which changes are believed to clarify key distinguishing aspects of applicant's claimed invention in view of the newly cited and applied reference.

With regard to the respective statuses now of claims in this case, claims 1 and 2 stand cancelled without prejudice, claims 3 and 6, the two independent claims herein, have been currently amended, and claims 4 and 5 stand as previously presented claims.

Recited as a positive step in applicant's invented methodology, as described and illustrated in the present patent application, and expressed in slightly different forms in claims 3 and 6, is a first, distinguishing step involving furnishing, or providing, a column-and-beam

structural building frame with respect to which the other important steps of the invention link cooperatively and collaboratively. This step of furnishing and/or providing a column-and-beam building structural frame is completely absent from the cited and applied Uecker *et al.* reference. In this important regard, there is an enormous difference between providing, for proper practice of applicant's invention, a *structural building frame* made up of nodally interconnected columns and beams -- a structural frame which is to become part of a finished building, and alternatively, providing a lightweight, temporary scaffolding such as that disclosed in Uecker *et al.* A scaffolding, by conventionally understood definition, is a light-scale, disassembleable structure traditionally defined as a "temporary framework used to support people and material in the construction or repair of buildings and other large structures" (Internet search definition). It is clearly *not* a robust *structural building frame* with respect to which structural, upper open ends of columns, *that will become permanent parts of a completed building*, are employed to provide stabilization and support for various building construction-extension instrumentalities (see applicant's claims) that may become attached to and supported by such a building frame *solely* through column upper open ends. The scaffolding framework disclosed in Uecker *et al.*, no matter how viewed, is not in any way a structural building frame, and does not meet the specific methodologic "provision" language of applicant's method claims.

Notwithstanding the fact that this very striking methodologic distinction between applicant's invention, and what is shown and/or even suggested by the Uecker *et al.* patent, is plainly brought out in applicant's originally presented claims, applicant has herein introduced certain modest changes into the texts of independent claims 3 and 6 aimed at making certain

features-of applicant's invention even more noticeably differentiable from Uecker *et al.* patent. Accordingly, claims 3 and 6 each has been amended currently to point out further, very significantly, that extension structures, such a building superstructures, and/or a building crane structures, are receivable *for full and sole stabilization and lateral support* within the upper, open, utility-port ends of structural building frame columns in accordance with practice of applicant's invention. Simply by lowering a selected "extension structure" into the upper, open, utility-port end of a provided column, in accordance with practice of applicant's invention, the inserted extension structure is immediately fully laterally stabilized, *without there being any need for any additional stabilization efforts made, or structures employed*, to accomplish this important structural condition. Such stabilization is uniquely possible because of the fact that the invention utilizes the robustness of a nodally interconnected, provided structural building frame having robust columns and beams tied together through appropriately robust nodal connections. In such an arrangement, an entire structural building frame effectively assures all necessary load-bearing and stabilization which is furnished essentially directly, and solely, by an individual extension-structure-receiving column.

The significantly more flimsy scaffolding structure pictured and described in the cited and applied reference is incapable of furnishing the same kind of structural building-method behavior. As is very evident from Fig. 1 in the Uecker *et al.* drawings, the hoist which is pictured on the near corner of the scaffolding structure, as shown in Fig. 1, is clearly *dependent upon a very elaborate and complex lateral anchoring and attaching mechanism in order to sustain, with confidence, any hoist-handled loads*. Nothing like this is necessary in the practice of applicant's

methodology, which methodology, now clearly expressed with respect to the included step of providing full, single-column, lateral stabilization and support, in the context of a column-inserted instrumentality (extension structure), such as a crane or a component of building superstructure, is clearly not anticipated by anything presented in the Uecker *et al.* patent. The Uecker *et al.* hoist support and stabilization structure requires careful and elaborate, multi-part assembly -- something completely foreign to what is much more simply, intuitively and easily accomplished in the practice of applicant's intention.

Accordingly, and for the reasons given above, all claims now presented in this application, of the basis of entry of the present Amendment, are plainly distinguishable over, and not anticipated by, the single cited and applied Uecker *et al.* reference. Therefore, favorable reconsideration of this application, and allowance of all remaining claims, are respectfully solicited. If the Examiner has any questions regarding the amendment or remarks, the Examiner is invited to contact Attorney-of-Record Jon M. Dickinson, Esq., at 503-504-2271.

**Provisional Request for Extension of time in Which to Respond**

Should this response be deemed to be untimely, Applicants hereby request an extension of time under 37 C.F.R. § 1.136. The Commissioner is hereby authorized to charge any

additional fees which may be required, or credit any over-payment to Account No. 22-0258.

Customer Number

56703

Respectfully Submitted,

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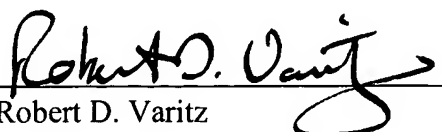
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I hereby certify that the attached PRELIMINARY AMENDMENT IN SUPPORT OF RCE UNDER 37 C.F.R. § 1.114 and a PTO-2038 credit card authorization form in the amount of \$395.00 are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to:

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Commissioner for Patents  
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